

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David J. Kral,

Civil 08-247 DWF/FLN

Plaintiff,

v.

REPORT & RECOMMENDATION

U. S. Marshal Al Garber,

Defendant.

Based upon the Petitioner's "Motion to Dismiss," IT IS HEREBY RECOMMENDED
that this action be dismissed without prejudice and the case closed.

DATED: March 10, 2008.

s/ *Franklin L. Noel*
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **March 27, 2008**, written objections which specifically identify the portions of the proposed findings or recommendations to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under the rules shall be limited to 3500 words. A judge shall make a de novo determination of those portions to which objection is made.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.